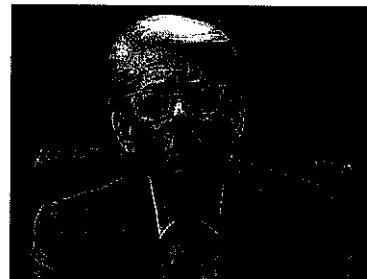


EXHIBIT I

*Sioux Steel Company v.
KC Engineering, P.C.*

John W. Carson, Ph.D.
October 27, 2017



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<p style="text-align: right;">Page 21</p> <p>1 with EP 433? Would that be a fair statement?</p> <p>2 A I don't know whether it's fair or not. There's no</p> <p>3 indication here that that's the case.</p> <p>4 Q If the plans were compliant with EP 433, would I</p> <p>5 interpret this document from your engineer that the</p> <p>6 loading calculations done under EP 433 are not</p> <p>7 sufficient for your firm in terms of loading being much</p> <p>8 higher than that?</p> <p>9 A I don't know. Unfortunately, this is all of the</p> <p>10 information that we have in our files about this --</p> <p>11 about this interchange, and the individual, Mr. Petro,</p> <p>12 listed at the top as the project development engineer,</p> <p>13 Gregory Petro, passed away a couple of years ago. And</p> <p>14 so I have no way of knowing beyond what's here what</p> <p>15 information he was given.</p> <p>16 Whenever we are approached by a potential client</p> <p>17 and given information, if it looks like there's no</p> <p>18 likelihood that that will result in our writing a</p> <p>19 proposal or doing a project, then we just simply don't</p> <p>20 save that information any longer.</p> <p>21 So I don't know, to answer your question.</p> <p>22 Q And I'm not being critical of the information that was</p> <p>23 or wasn't saved or how it was saved. Is that what I'm</p> <p>24 observing here is the opinion of your engineer that</p> <p>25 your loading, i.e., your company's loading, is much</p>	<p style="text-align: right;">Page 23</p> <p>1 the properties of the grain as to whether EP 433 is</p> <p>2 appropriate, as I've stated in my <u>Exhibit 28</u> opinions.</p> <p>3 Q Are there any other U.S. standards that are recognized</p> <p>4 for steel storage bins other than ANSI and ASAE EP 433?</p> <p>5 A That is the only current U.S. standard.</p> <p>6 Q Now, the bin in question that failed, the upper section</p> <p>7 of the hopper was not in accordance with EP 433 or for</p> <p>8 the Manual for Steel Construction. Is that a fair</p> <p>9 statement?</p> <p>10 A Could you be more specific when you talk about the</p> <p>11 upper portion?</p> <p>12 Q Yeah, upper portion of the hopper. I think it consists</p> <p>13 of 80 panels, and it is the portion that would go into</p> <p>14 the ring right below the top of the bin.</p> <p>15 A And your question is whether it was in accordance with</p> <p>16 EP 433 and standards, AI -- AISC standards?</p> <p>17 Q Correct.</p> <p>18 A Well, first of all, EP 4 -- as I've stated in my</p> <p>19 report, EP 433 is not applicable to the design of this</p> <p>20 bin. So to say whether it was in accordance with or</p> <p>21 not is, in my mind, immaterial.</p> <p>22 Q And I understand that, and I'm not arguing with you on</p> <p>23 that. I just want to set the ground rules, though,</p> <p>24 that it doesn't comply with EP 433 or AISI, the steel</p> <p>25 construction manual.</p>
<p style="text-align: right;">Page 22</p> <p>1 higher compared to what Sioux Steel calculates. That's</p> <p>2 what it says, correct?</p> <p>3 A That's what it says, yes.</p> <p>4 Q And this would then be the loading, material loading</p> <p>5 inside the structure, correct?</p> <p>6 A The loading of the -- that the material exerts on the</p> <p>7 structure, yes.</p> <p>8 Q And if the plans submitted by Sioux Steel to your</p> <p>9 company were in compliance with 4 -- EP 433, then your</p> <p>10 engineer is telling the Sioux Steel engineer that your</p> <p>11 loading is much higher for your firm than what Sioux</p> <p>12 Steel calculates?</p> <p>13 A That certainly is potentially the case, yes, and</p> <p>14 probably that's a likely conclusion. But, again, I</p> <p>15 don't know anything more than what's here. So...</p> <p>16 Q Okay. And I understand that. Now, this is a</p> <p>17 document -- 30 was the first time your firm was</p> <p>18 involved in anything with Sioux Steel. Would that be</p> <p>19 correct?</p> <p>20 A That's correct. The first time we had had any contact</p> <p>21 with Sioux Steel, to my knowledge.</p> <p>22 Q Is it your opinion that EP 433 is not the appropriate</p> <p>23 standard for loading of grain and materials that have a</p> <p>24 bulk density of 55.3?</p> <p>25 A I wouldn't categorically say that, no. It depends on</p>	<p style="text-align: right;">Page 24</p> <p>1 A The design of the upper portion of the hopper of this</p> <p>2 bin does not include the appropriate safety factors in</p> <p>3 accordance with AISI using the loads from EP 433.</p> <p>4 Q Okay. Now, let's pursue, then, is that it's your</p> <p>5 opinion that EP 433 -- and I'm going to just use that</p> <p>6 for short rather than going through all the</p> <p>7 nomenclature on it -- doesn't apply to materials that</p> <p>8 potentially become nonflowing?</p> <p>9 A The term, sir, is non-free-flowing.</p> <p>10 Q And I think in your report you talked about the</p> <p>11 potential to become non-free-flowing, correct?</p> <p>12 A That's correct.</p> <p>13 Q Now, is there anything in EP 433, or any subsequent</p> <p>14 comments to EP 433, that would caution an engineer that</p> <p>15 it doesn't apply to materials that had the potential to</p> <p>16 become non-free-flowing?</p> <p>17 A Certainly.</p> <p>18 Q And where do you find that in EP 433?</p> <p>19 A Right in the title, to begin with. It says for</p> <p>20 free-flowing material. And then there's other</p> <p>21 statements which I've summarized in my report that</p> <p>22 elaborate on that issue.</p> <p>23 Q Okay. Now, it also talks about free-flowing grain,</p> <p>24 specifically wheat, because wheat has the heaviest bulk</p> <p>25 density of the common grains; is that correct?</p>